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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/035,599 | 10/19/2001 | Brant Monson | | 2868 |

7590 06/03/2004

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| EXAMINER |
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BREVARD, MAERENA W

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| ART UNIT | PAPER NUMBER |
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3727

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------|-------------------------------|--|
| Office Action Summary | Application No. 10/035,599 | Applicant(s) MONSON, BRANT | |
| | Examiner Maerena W. Brevard | Art Unit 3727 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 16-18, 20, 21 and 23-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7, 10, 11, 16-18, 20, 21, 23-25, and 27-30 is/are allowed.
- 6) ☒ Claim(s) 8, 9, 26 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 8, 9, 26, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Aron.

Aron discloses a quick release saddlebag system comprising:

- A saddlebag (10);
- A mounting structure (12) for mounting the saddlebag comprising a mounting bolt (40) and mounting pin (38);
- The mounting pin comprises a retaining ring (58) and a flange (54);
- A portion of the mounting pin nests in the mounting bolt (64) and has a retractable projection (capable of being withdrawn) for holding the mounting pin in the mounting bolt (Figure 4);
- The saddlebag (portion 16) is mounted on the mounting pin between the retaining ring and the flange (Figure 4);
- The mounting bolt has a hole disposed therein (Figure 4); and
- The hole has an annular groove formed therein configured for receiving a retractable projection from the pin (Figure 4, Column 4, lines 15-34).

Regarding claim 26, the method for mounting comprising attaching a mounting bolt (46) having a hole therein to receive a mounting pin (52) to the fender strut (Column 4, lines 7-9), selecting a mounting pin having a saddlebag disposed thereon (16, 20), and inserting the mounting pin into the mounting bolt (Figure 4), wherein the saddlebag is secured on the pin

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between a flange (54) and a retaining ring (nut, 60), is inherent with the use of the saddlebag system.

Response to Arguments

3. Applicant's arguments, filed 3/5/04, with respect to claims 1-6, 16, 23, and 28 have been fully considered and are persuasive. The 103 rejections of these claims have been withdrawn.

4. Applicant's arguments filed 3/5/04 have been fully considered but they are not persuasive. Aron as stated in paragraph 2 above still anticipates claims 8, 9, 26, and 31.

Allowable Subject Matter

5. Claims 1-7, 10, 11, 16-18, 20, 21, 23-25, and 27-30 are allowed.

6. The applicant's representative, Mr. Randall Bateman was called on May 25, 2004 for a proposed Examiner's Amendment to place the application in condition for allowance, but declined.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maerena W. Brevard whose telephone number is 703/305-0037.

The examiner can normally be reached on M-Th; 8:00 AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lee W. Young can be reached on 703/308-2572. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Maerena Brevard
June 1, 2004



Stephen K. Cronin
Primary Examiner